

Amendment No. 1 to HB2440

Sexton C
Signature of Sponsor

AMEND Senate Bill No. 2025*

House Bill No. 2440

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 63, Chapter 1, Part 1, is amended by adding the following as a new section:

(a) As used in this section:

(1) "Original prescription" means a prescription for a controlled substance from an authorized prescriber that is presented by the patient to the pharmacist or submitted electronically to the pharmacy; and

(2) "Partial fill" means a prescription filled in a lesser quantity than the amount specified on the prescription for the patient.

(b)

(1) A prescription for a controlled substance may be partially filled if:

(A) The partial fill is requested by the patient or the practitioner who wrote the prescription; and

(B) The total quantity dispensed through partial fills pursuant to subdivision (b)(1)(A) does not exceed the total quantity prescribed for the original prescription.

(2) If a partial fill is made, the pharmacist shall retain the original prescription at the pharmacy where the prescription was first presented and the partial fill dispensed.

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(3) Any subsequent fill shall occur at the pharmacy that initially dispensed the partial fill. Any subsequent fill shall be filled within thirty (30) days from issuance of the original prescription.

(c)

(1) If a partial fill is dispensed, the pharmacist shall only record in the controlled substance database the partial fill amount actually dispensed.

(2) If a partial fill is dispensed, the pharmacist shall notify the prescribing practitioner of the partial fill and of the amount actually dispensed:

(A) Through a notation in the interoperable electronic health record of the patient;

(B) Through submission of information to the controlled substance database;

(C) By electronic or facsimile transmission; or

(D) Through a notation in the patient's record that is maintained by the pharmacy, and that is accessible to the practitioner upon request.

(3) Nothing in this section shall be construed to conflict with or supersede any other requirement established in this part or title 53, chapter 10 or 11, for a prescription of a controlled substance.

SECTION 2. This act shall take effect upon becoming law, the public welfare requiring it.